

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David James Cook, Sr.,

File No. 24-cv-1535 (ECT/SGE)

Petitioner,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Red Lake Band of Chippewa Indians,

Respondent.

Magistrate Judge Shannon G. Elkins issued a Report and Recommendation on October 9, 2024. ECF No. 8. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 8] is **ACCEPTED**; and
2. Petitioner David James Cook, Sr.'s Petition for a Writ of Habeas Corpus pursuant to 24 U.S.C. § 1303 [ECF No. 1] is **DENIED AS MOOT**;
3. This action is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 6, 2024

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court